



the STATE OF MARYLAND

# DhMH

Maryland Department of Health and Mental Hygiene

*Larry Hogan, Governor - Boyd Rutherford, Lt. Governor - Van Mitchell, Secretary*

---

Dear HCBS Waiver Provider:

You are receiving this letter because you provide services for individuals who need Medicaid funded DDA services and supports. New rules are coming that may affect you. Please read this letter to learn about the upcoming changes and what you should do to prepare for them.

## **What happened?**

The Centers for Medicare and Medicaid Services has issued new regulations for “Home and Community Based Settings.” The regulations are meant to protect an individual’s rights to privacy, dignity, and respect. They also ensure that individuals do not become isolated and that they can participate in their community when they want to.

The regulations require Medicaid providers to comply with the new rules by 2019. If you do not meet the new requirements by that time, you will not receive Medicaid funding.

In order for Maryland to comply with the rule, as a provider you are required to complete a provider self assessment online, which can be found at <https://www.surveymonkey.com/r/HCBS-DDA-NR>. Please note that the survey must be completed online.

The survey must be completed by all providers within 2 weeks.

This survey is the first step in helping you understand the requirements and how to meet them.

## **What do these new regulations say?**

The regulations create new requirements. Some of the requirements are about the physical setup of the building, and other requirements have to do with the services and supports you provide. Some examples are:

- The setting is integrated in, and supports full access to, the greater community
- The setting is physically accessible to individuals
- The setting ensures an individual’s right of privacy, dignity and respect, and freedom from coercion and restraint
- The setting encourages individuals to make independent life choices
- The setting facilitates individual choice regarding services and supports, & who provides them

## **What should I do?**

The first step is find out which requirements you already meet and which ones you need to work on. The survey will give us information about you, and it will also help you assess yourself.

**Please fill out the survey honestly.** There are no “right” answers, and there are no penalties for answering any particular way. Remember that compliance with the new rules is not required until 2019. The more information you give us, the better we will be able to help you meet the requirements in time.

**The survey is mandatory for all providers.** If you do not complete this survey within 30 days your provider number will be suspended. A survey must be completed for each site a provider operates.

## **What if I have more questions?**

Please call Lai Huynh at 410-767-1820, or email [dhmh.hcbssettings@maryland.gov](mailto:dhmh.hcbssettings@maryland.gov).

More information about the final rule can be found at: <http://www.medicaid.gov/Medicaid-CHIP-Program-Information/By-Topics/Long-Term-Services-and-Supports/Home-and-Community-Based-Services/Home-and-Community-Based-Services.html>

To receive updates and future messages via email, please send your contact information to [dhmh.hcbssetting@maryland.gov](mailto:dhmh.hcbssetting@maryland.gov). You will be added to our email list and receive important updates on meetings and guidance related to these new requirements.

Sincerely,

Rebecca Oliver  
Health Policy Analyst Advanced